

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

STEVEN CHARLES BRITTON,

Plaintiff,

vs.

COMMISSIONER,
Social Security Administration,

Defendant.

Case No. 6:19-cv-00007-YY

ORDER GRANTING PLAINTIFF'S
UNOPPOSED MOTION FOR
ATTORNEY FEES PURSUANT TO 42
U.S.C. § 406(b)

Plaintiff Steven Charles Britton brought this action seeking review of the Commissioner's final decision denying his application for disability insurance benefits under the Social Security Act. By stipulation of the parties, the Court reversed the Commissioner's decision, remanded the case for further proceedings, and entered Judgment on February 11, 2020. Upon remand, the Commissioner found Plaintiff entitled to benefits beginning June 2015.

Plaintiff now seeks an award of fees pursuant to 42 U.S.C. § 406(b). Defendant has not objected to the request. I have reviewed the record in this case, the motion, and the supporting materials, including the award of benefits, the fee agreement with counsel, and the recitation of counsel's hours and services. Applying the standards set by *Gisbrecht v. Barnhart*, 535 U.S.

789, 796 (2002), the Court finds that the requested fees are reasonable.

Plaintiff's Motion for Attorney Fees Pursuant to 42 U.S.C. 406(b) is hereby GRANTED, and Plaintiff's counsel is awarded \$20,058.88 in attorney's fees under 42 U.S.C. § 406(b). In light of this order awarding fees under 42 U.S.C. § 406(b), Plaintiff's counsel shall reimburse Plaintiff the \$6,797.65 in attorney fees the Court previously awarded under the Equal Access to Justice Act, 28 U.S.C. § 2412.

IT IS SO ORDERED this 25th day of May 2021.

/s/ Youlee Yim You
YOULEE YIM YOU
United States Magistrate Judge

Proposed Order submitted by:
Katherine L. Eitenmiller
HARDER, WELLS, BARON & MANNING, P.C.
474 Willamette Street
Eugene, OR 97401
(541) 686-1969
keitenmiller@hwbm.net
Of Attorneys for Plaintiff